

HKP | HARFENIST KRAUT & PERLSTEIN LLP

NEIL TORCZYNER

Attorney at Law

DIRECT TEL: 516.355.9612

DIRECT FAX: 516.355.9613

NTORCZYNER@HKPLAW.COM

July 21, 2020

United States District Court Kenneth M. Karas
United States Courthouse
300 Quarropas Street
White Plains, NY 10601
By: ECF

RE: Allstate Insurance Company et al v. James A. Spina, et al.
Docket No. 20-CV-1959 (KMK)(JM)

As the Court is aware, in April this firm filed notices of appearance on behalf of numerous defendants, including Mid Hudson Acupuncture, P.C. and Ralph J. Storm, LAC ("the Storm Defendants").

Unfortunately, this firm will no longer be able to represent the Storm Defendants and the firm intends to file a motion to be relieved as counsel under Local Rule 1.4. As the supporting declaration may disclose privileged communications which would be subject to privilege, we are respectfully requesting leave to file the supporting declaration under seal.

Additionally, on June 30, 2020, co-Defendants Clifton Burt and Physical Medicine & Diagnostic Testing PC filed an answer with cross-claims against all Defendants. The answer to these cross-claims is due today. I have spoken with Shannon Carroll who represents these defendants and she has consented to an extension of time to respond to the cross-claims, so that new counsel can attend to this task. I am respectfully requesting that the Court extend the Storm Defendants' time to answer these cross-claims to August 21, 2020.

Additionally, as the Court may be aware, the Plaintiffs have served motions for pre-Judgment attachment and for a preliminary injunction staying collections efforts on behalf of multiple parties, including Mid Hudson Acupuncture. Early today I spoke with Hugh CM Brady to request consent to an extension of the Storm Defendants' time to oppose Allstate's motions, however Mr. Brady was unable to provide consent at that time and I have not received any follow up response. I am hopeful that prior to filing the formal motion I will be able to report on Allstate's position in this regard.

I thank the Court for its time and understanding in this matter.

Counsel may file their Motion to Withdraw, but the papers can only contain sealed portions if they discuss privileged matters. The extension of time to answer the counterclaims is granted, but the requested extension of time to respond to Allstate's Motion is denied.

Respectfully Submitted

HARFENIST KRAUT & PERLSTEIN, LLP

By: Neil Torczyner

Neil Torczyner

So Ordered.  7/22/20

3000 Marcus Avenue, Suite 2E1
Lake Success, NY 11042
T - 516.355.9600 F - 516.355.9601

2975 Westchester Avenue, Suite 415,
Purchase, NY 10577
T - 914.701.0800 F - 914-708-0808.